

Use of Informants

609.1 PURPOSE

The purpose of this policy is to provide regulations for the control and use of confidential informants (CI).

609.2 POLICY

While developing and maintaining confidential sources of information within the community is a valuable investigative resource, it is the position of the Hudson Police Department that officer – informant relationships must be maintained on a strictly business basis. Under no circumstances will an officer permit, encourage, or tolerate an informant's involvement in illegal acts. In addition, the identity of informants, and other information sources, must be strictly controlled to protect against unwarranted disclosure that could expose an informant to retaliation and/or jeopardize an ongoing investigation.

609.3 DEFINITIONS

Confidential Informant: A person who establishes a continuing working relationship with the Hudson Police Department during which he or she provides information regarding criminal activity.

Confidential Informant File: File maintained in order to document all information that pertains to confidential informants.

Unreliable Informant File: File containing information pertaining to individuals determined generally unfit to perform as informants.

609.4 INFORMANT FILE SYSTEM

The detective sergeant in charge of criminal investigations shall be responsible for developing and maintaining master informant files and an indexing system.

A file shall be maintained on each CI used by officers. Each file shall be coded with an assigned informant control number. The control number will be coded by the year followed with the CI number. (Example: CI 08-01) The file shall contain the following information:

- a. CI's name;
- b. Name of officer initiating use of the CI;
- c. CI's photograph, fingerprints, and criminal history record;
- d. Briefs of information provided by the CI and its subsequent reliability. If an informant is determined to be unreliable, the informant's file shall be placed in the unreliable informant file;
- e. Signed Hudson Police Department Informant Agreement;
- f. Update on active or inactive status of CI.

Hudson Police Department

Hudson Police Dept Policy Manual

Use of Informants

The confidential and unreliable informant files shall include an indexing system. An informant history summary, coded with the informant control number, shall be prepared to correspond to each informant file and include the following information:

- a. Special skills and/or avocations;
- b. Date of birth;
- c. Aliases;
- d. Height, weight, hair color, eye color, race, sex, scars, tattoos, or other distinguishing features;
- e. Current home address and telephone number;
- f. Residential addresses over the last five years;
- g. Current employer, position, address, and telephone number;
- h. Marital status and number of children;
- i. Vehicles owned and their registration numbers; and
- j. Places frequented.

Informant files shall be maintained in a secured area within the detective division.

The two informant files shall be utilized in order to:

- a. Provide a source of background information about the informant;
- b. Provide a complete history of the information received from the informant;
- c. Enable review and evaluation by the detective sergeant; and
- d. Minimize incidents that could be used to question the integrity of the detectives or the reliability of the CI.

Access to the informant files shall be restricted to the chief of police, Lieutenant, detective sergeant and detectives.

Sworn personnel may only review an individual's informant file upon the approval of the detective sergeant. The requesting officer shall submit a written request explaining the need for review. A copy of this request, with the officer's name, shall be maintained in the CI's file.

[See attachment: III 33 Confidential Informants Procedure Atch B.pdf](#)

609.5 USE OF CONFIDENTIAL INFORMANTS

Before using an individual as a CI, an officer must receive initial approval from the detective sergeant.

The officer shall compile sufficient information through a background investigation in order to determine the reliability and credibility of the individual.

Hudson Police Department

Hudson Police Dept Policy Manual

Use of Informants

After the officer receives initial approval to use an individual as a CI, an informant file shall be opened.

During the course of an investigation should a CI become unreliable they will no longer be used and their information will be placed in the unreliable informant file.

All persons determined to be unsuitable for use as a CI shall be referenced in the unreliable informant file.

An officer wishing to utilize an unreliable informant shall receive prior approval from the detective sergeant.

609.6 HANDLING OF CONFIDENTIAL INFORMANTS

All CI's are required to sign and abide by the provisions of the Hudson Police Department Informant Agreement. The officer utilizing the CI shall discuss each of the provisions of the agreement with the CI, with particular emphasis on the following:

- a. Informants are not law enforcement officers. They have no arrest powers, are not permitted to conduct searches and seizures, and may not carry a weapon;
- b. Informants will be arrested if found engaging in any illegal activity. They will receive no special legal considerations; and
- c. Informants are not to take, and the Hudson Police Department will not condone, any actions that may be considered entrapment. Entrapment occurs where the informant encourages, persuades, or otherwise motivates a person to engage in criminal activity.

No member of this agency shall knowingly maintain a social relationship with CIs while off duty, or otherwise become personally involved with CIs. Members of this agency shall not solicit, accept gratuities, or engage in any private business transaction with a CI.

Whenever possible, an officer shall always be accompanied by another officer when meeting a CI.

Juveniles shall only be utilized as CIs if given written consent by a parent/guardian and must be approved by the Chief of Police.

CI's that have pending state or federal prosecution have special restrictions:

- a. The use of such an informant requires approval of the appropriate prosecutor.
- b. The CI may be informed that the extent of his cooperation will be brought to the attention of the prosecutor. No other representations shall be made without the express approval of the prosecutor.

CIs on probation, parole, or conditional release must meet the following conditions:

- a. The requesting officer shall obtain approval for the activity from the CI's probation or parole officer.

Hudson Police Department

Hudson Police Dept Policy Manual

Use of Informants

b. Persons on federal parole or conditional release may be utilized only upon obtaining written consent from the CI's federal parole officer. In all cases, the request for informant status shall include:

- i. Name of the federal parole officer that approves the use.
- ii. Name of the officer who secured the approval.
- iii. Any restrictions placed on the use of the CI.

[See attachment: III 33 Confidential Informants Procedure Atch A.pdf](#)

Attachments

III 33 Confidential Informants Procedure Atch B.pdf

CONFIDENTIAL INFORMANT FACT SHEET

Name of Confidential Informant (CI): _____

CI Number: _____

Name of CI handler: _____

Date of Birth: _____

Aliases: _____

Height: _____

Weight: _____

Hair Color: _____

Eye Color: _____

Race: _____

Sex: _____

Scars: _____

Tattoos: _____

Distinguishing Features: _____

Home Address (Include City and State): _____

Home Phone: _____

Cell Phone: _____

Work Phone: _____

Residential Address over the Last Five Years: _____

Current Employer: _____

Employer's Address: _____

Employment Title: _____

Employer's Phone: _____

Marital Status and Number of Children: _____

Vehicles Owned and Registration Numbers: _____

Places Frequented: _____

Special Skills/Avocations: _____

*Attach CI criminal history record, police contact record and photograph to fact sheet.

Determination:

Reliable Informant (Yes/No): _____

Date of Determination: _____

Background Conducted By: _____ Badge #: _____

Approved By: _____ Badge #: _____

III 33 Confidential Informants Procedure Atch A.pdf

HUDSON POLICE DEPARTMENT INFORMANT AGREEMENT

During my association with the Hudson Police Department as a Confidential Informant, I, the undersigned, do hereby agree to be bound by the following conditions and procedures while so associated.

1. I agree that I have no police power under the State of Wisconsin or any local governmental subdivision and have no authority to carry a weapon while performing my activity as a Confidential Informant.
2. I acknowledge that as a Confidential Informant I am not entitled to Workman's Compensation or Unemployment Compensation from the State of Wisconsin and I shall not hold the Hudson Police Department liable for any injuries or damage incurred by reason of my association with the Hudson Police Department.
3. I agree not to divulge to any person, except the detective with whom I am associated, my status as a Confidential Informant for the Hudson Police Department unless required to do so in court and shall not represent myself to others as an employee or representative of the Hudson Police Department.
4. I agree not to use the Hudson Police Department or any of its officers as credit references or employment references unless prior approval is obtained from the detective with whom I am associated.
5. I agree that my association with the Hudson Police Department does not afford me any special privileges.
6. I agree that after making a purchase of anything of evidentiary value, I will contact the detective with whom I associated as soon as possible for delivery of such evidence to him or her.
7. I agree to maintain a strict accounting of all funds provided to me by the Hudson Police Department as part of my activity as a Confidential Informant. I understand that misuse of funds could be grounds for criminal prosecution against me.
8. Finally, I agree that violation of any of the above enumerated provisions will be grounds for immediate termination and probable criminal charges.

Dated this _____ day of _____ 20____

Confidential Informant Signature

Confidential Informant Printed Name

Detective Signature

Detective Printed Name